

7 MARCH 1947

I N D E X
of
WITNESSES

Defense' Witnesses

Page

YAMAMOTO, Kumaichi (resumed)

17924

Direct by Mr. Roberts (cont'd)

17924

Cross by Mr. Comyns Carr

17929

MORNING RECESS

17945

NOON RECESS

17963

AFTERNOON RECESS

17988

1 Friday, 7 March 1947

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before.

14 For the Prosecution Section, same as before.

15 For the Defense Section, same as before.

16 - - -

17 (English to Japanese and Japanese
18 to English interpretation was made by the
19 Language Section, IMTFE.)
20
21
22
23
24
25

YAMAMOTO

DIRECT

S
p
r
a
t
t
&
Y
e
l
d
e
n

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present
4 except OKAWA, KAYA and TOJO, who are represented by
5 their respective counsel. We have certificates from
6 the medical superintendent of Sugamo Prison certifying
7 that the accused KAYA and TOJO are ill and unable to
8 attend the trial today. The certificates will be
9 recorded and filed.

10 Mr. Roberts.

11 - - - -

12 K U M A I C H I Y A M A M O T O, called as a
13 witness on behalf of the defense, resumed the
14 stand and testified through Japanese interpreters
15 as follows:

16 DIRECT EXAMINATION

17 BY MR. ROBERTS (Continued):

18 Q Mr. YAMAMOTO, are you familiar with the
19 principle for the establishment of a Greater East Asia?

20 A Yes, I do.

21 Q When was that first used and by whom?

22 A I think it was on November 3, 1938 when
23 Prince KONOYE, Prime Minister, used the word in a
24 government statement with reference to the establish-
25 ment of a new order in Greater East Asia.

YAMAMOTO

DIRECT

1 Q Was this statement widely discussed and read
2 by the Japanese people at that time?

3 A I think the statement was widely read by
4 the Japanese and widely discussed by the people.

5 Q What was the general interpretation of that
6 statement?

7 MR. COMYNS CARR: I object, your Honor. The
8 statement speaks for itself and the witness, in my
9 submission, cannot be asked what other people thought
10 it meant.

11 THE PRESIDENT: Is that statement in evidence
12 already?

13 MR. ROBERTS: We submit, if the Tribunal
14 please, that the interpretation placed upon it by the
15 prosecution as being evidence of a conspiracy to
16 dominate the East Asia and take control was not the
17 proper interpretation. We want to show what it was.

18 MR. COMYNS CARR: The defense can argue that
19 from the document itself, your Honor, but in my submis-
20 sion they cannot ask this witness.

21 THE PRESIDENT: It is for the court to construe
22 a document subject to receiving evidence on any special
23 terms that call for elucidation by evidence. The English
24 authority for that is Bowes v. Shand. Nevertheless,
25 my colleagues might take a different view. They might

YA AMOTO

DIRECT

1 think that the terms in a document of this importance
2 should be the subject of evidence and I will take
3 their opinion.

4 The objection is upheld.

5 Q What was your understanding of the meaning
6 of that statement, Mr. YAMAMOTO?

7 THE PRESIDENT: Do not answer. I upheld
8 the objection and that is a contravention.

9 MR. ROBERTS: I referred before to the
10 opinion of the Japanese people, that is, the under-
11 standing of the Japanese people as he understood it,
12 not his own opinion.

13 THE PRESIDENT: How can he give evidence of
14 the opinion of the Japanese people?

15 Q When did the expression "Co-Prosperity
16 Sphere" come into use, Mr. YAMAMOTO?

17 A I recall that on August 1, 1940, the second
18 KONOYE cabinet publicly announced its basic national
19 policy and on that very day, as I recall, the Foreign
20 Minister MATSUOKA, at a press conference, first used
21 the words "Co-Prosperity -- Greater East Asia Co-
22 Prosperity Sphere."

23 Q What was the history and development of the
24 Greater East Asia Co-Prosperity Sphere?

25 A It is a very difficult problem. I do not

YAMAMOTO

DIRECT

1 know of it in all its details; however, after the
2 outbreak of the China Incident, the feeling arose as
3 to how to bring about a peaceful settlement of this
4 unfortunate and regrettable conflict with the neighbor-
5 ing state, China, and it was out of such feelings and
6 sentiments that this idea grew up and was advocated.
7 Of that I am positive.

YAMAMOTO

DIRECT

1 Q Can the formation and development of the
2 Co-Prosperity Sphere be attributed to any individual
3 or group?

4 A In my consideration it had no connection
5 whatsoever.

6 Q Can you cite any similar idea in order
7 to help clarify the meaning and intention of the
8 formation of the Co-Prosperity Sphere?

9 A My idea of the Greater East Asia Co-
10 Prosperity Sphere, which I have entertained from
11 the beginning and even today, is that nations and
12 peoples should in mutual trust and in mutual help
13 endeavor to promote their general prosperity, and
14 that in so far as this area of the world is con-
15 cerned it was Japan's idea that such a principle
16 should be disseminated and such relationship
17 established with nearby **lands, neighboring**
18 **states**, and in principle and in spirit I would say
19 that it is similar to the Pan-American principle.

20
21 I.R. ROBERTS (To defense counsel): Does
22 any American counsel wish to examine the witness
23 at this time?

24 (No response)

25 (To prosecution counsel) You may examine.

THE PRESIDENT: Mr. Conyns Carr.

YAMAMOTO

CROSS

CROSS-EXAMINATION

1 BY MR. CONLYNS CARR:

2 Q Mr. YAMAMOTO, do I understand you to tell
3 us that all the countries which were represented
4 at this Greater East Asia Conference were free and
5 independent?
6

7 A Considering the circumstances before, during
8 and after the Greater East Asia Conference, those
9 nations which were represented at this assembly
10 all attended in a free spirit and out of their own
11 desire.

12 Q Were each of them at the time occupied by
13 a Japanese Army?

14 A Not all of these countries were occupied.

15 Q Which was not?

16 A Manchukuo and Thailand were not occupied
17 in that sense of the term.

18 Q There were Japanese Armies in each of them,
19 were there not?

20 A Yes, it is a fact that Japanese Armies
21 were garrisoned there.

22 Q Were any of them governed by governments
23 elected by the people of the country?

24 A Thailand, of course, had a government which
25 expressed and represented the will of the people.

YAMAMOTO

CROSS

1 Q Any other?

2 A Are you speaking of each and all the
3 countries who were represented at this assembly
4 of Greater East Asiatic nations?

5 Q I am asking you whether **any** one of them
6 except Thailand had a government which was appointed
7 by the people of the country?

8 A Manchuria had a government which duly
9 expressed the will of the people, and China at
10 that time also had a government which was appointed
11 by the will of the people.

12 Q When you speak of China you don't mean
13 the Chiang Kai-shek government, do you?

14 A I am speaking of the government at
15 Nanking inasmuch as Japan at that time had
16 recognized the government at Nanking as the govern-
17 ment of nationalist China.

18 Q Japan had not only recognized it; she had
19 created it, hadn't she?

20 A It is my belief that the Japanese Govern-
21 ment assisted in the establishment of that government
22 in accordance with the desire and aspirations of the
23 people of China.

24 Q Japan had also created the government of
25 Manchukuo, hadn't she?

YAMAMOTO

CROSS

1 A I am not familiar with the details at
2 that time.

3 Q Do you suggest that either of those two
4 governments was independent of Japan?

5 A I say that they were independent of Japan.

6 Q On the 4th of December, 1941, you were
7 the head of the Asiatic and American Bureaus in
8 the Foreign Ministry, weren't you?

9 A Yes.

10 MR. COMYNS CARR: Now, may he look at
11 exhibit 1214, if he might have the Japanese copy,
12 please?

13 THE MONITOR: Mr. Comyns Carr, this is
14 the Language Section. Have you got the prosecution
15 document number of that exhibit?

16 MR. COMYNS CARR: 2593-D is the prosecution
17 document number.

18 THE MONITOR: Thank you, sir.

19 MR. COMYNS CARR: Exhibit No. 1214. Let
20 him see the Japanese of that.
21
22
23
24
25

YAMAMOTO

CROSS

G
r
e
e
n
b
e
r
g
&
G
o
l
d
b
e
r
g

Q Now, Mr. YAMAMOTO, this is the copy of the telegram which the Japanese Foreign Office sent to their representative at Hsingking on the 4th of December, 1941.

(Reading): "On the fourth, in a joint conference with the Government Control Board, we decided upon steps which we will have Manchukuo take in case the international situation turns critical."

Your Honor, perhaps we would get on more quickly if the Language Section might have the Japanese. Then the witness would hear it read in Japanese. It could be handed to the Language Section. It would probably be quicker.

THE MONITOR: Mr. Comyns Carr, we do have the Japanese copy, sir.

THE PRESIDENT: You would have to put it to him in English, and they would give a simultaneous translation in Japanese and he would answer. That is your proposal.

MR. COMYNS CARR: We are trying to work out a system which would work quickly in these cases, and I suggest that for trial as probably the best one.

THE PRESIDENT: I see no objection.

MR. COMYNS CARR: May the document be taken

YAMAMOTO

CROSS

1 from the witness and given to the Language Section
2 who will read it simultaneously as I read it.

3 THE MONITOR: Mr. Comyns Carr, we have the
4 document.

5 MR. COMYNS CARR: They have it, your Honor.
6 Can I read straight ahead then?

7 THE MONITOR: Yes, sir.

8 MR. COMYNS CARR: I will begin again.

9 (Reading): "Re my #892."

10 THE MONITOR: Mr. Comyns Carr, the Language
11 Section suggests that it be relayed instead of given
12 simultaneously because there would have to be switching
13 of the IBM and the possibility that the witness might
14 not hear all of it nor other Japanese counsel and
15 others.

16 MR. COMYNS CARR: If you please.

17 THE PRESIDENT: Try it, please.

18 MR. COMYNS CARR (Reading): "On the fourth,
19 in a joint conference with the Government Control
20 Board, we decided upon steps which we will have
21 Manchukuo take in case the international situation
22 turns critical. Differing from what I said in my
23 #873 our policy was changed as follows:

24 "When the Japanese Empire commences hostilities,
25 for the time being Manchukuo will not participate.

YAMAMOTO

CROSS

1 Because Manchukuo is closely bound up with the
2 Japanese Empire and because England and the United
3 States and the Netherlands have not recognized the
4 Government of Manchukuo as a matter of fact, Hsinking
5 will regard those three nations as de facto enemies
6 and treat them accordingly.

7 "Wherever 'England and the United States'
8 and 'English and Americans' occur in the text, we
9 changed them to 'England, the United States, and the
10 Netherlands' and 'English, Americans and Netherlanders.'"

11 Q In the face of that, Mr. YAMAMOTO, do you
12 still say that Manchukuo was independent of Japan?

13 MR. ROBERTS: I object on the grounds there
14 is no evidence that this witness participated in these
15 proceedings or that he was on the Government Control
16 Board at that time and upon the further ground that
17 it asks for an opinion of the witness.

18 THE PRESIDENT: This is directed to his credi-
19 bility on the question of independence of these countries.
20 This is an official Japanese statement and he is
21 speaking now from his knowledge as a Japanese official
22 at the time. He is asked to reconcile his views with
23 his country's and the question is admissible. The
24 objection is overruled.

25 A Even if I am shown this document, or this

YAMAMOTO

CROSS

1 document is read to me, my idea that Manchukuo was an
2 independent state does not change.

3 Q Does an independent state in your experience
4 as a foreign ministry official usually have orders
5 given to it by another state?

6 MR. ROBERTS: I object to this question as
7 being purely argumentative, if the Tribunal please.

8 THE PRESIDENT: I think, myself, that it is
9 correct really. I think it is, as the defense counsel
10 suggests, argumentative, but my colleagues, however,
11 have a different view so we will put the question.
12 Let him answer.

13 A At that time there was a treaty existing
14 between Japan and Manchukuo and, according to one
15 of the provisions of the treaty, Manchukuo was to
16 consult with Japan on all questions relating to
17 diplomacy; and I say that Japan acted in accordance
18 with her treaty relations with Manchukuo.

19 MR. COMYNS CARR: Now may he have exhibit
20 1209, prosecution's document, also part of 2593-D,
21 Part 38 this is. This is a circular sent out from
22 Tokyo Foreign Ministry on the 7th of December, 1941.

23 THE MONITOR: Mr. Comyns Carr, what is the
24 prosecution document number, 2593-B or D?

25 MR. COMYNS CARR: D.

YAMAMOTO

CROSS

1 THE MONITOR: A-B-C-D.

2 MR. CONYNS CARR: Part 38.

3 THE MONITOR: We have it, sir.

4 MR. CONYNS CARR: I am reading from the second
5 page.

6 (Reading): "Upon declaration of war by
7 Japan, the Nanking government will not be directed
8 to participate in war but will be directed to maintain
9 close relations and absolute cooperation with Japan.

10 "In maintaining close relations with our
11 'country the Nanking Government will be directed and
12 guided in strengthening its morale and organization
13 so that it may help alleviate Japan's burden in par-
14 ticipating in a protracted world war."

15 Q Do you still say that the Nanking Government
16 in China was independent of Japan?

17 A Before replying, I should like to know where
18 this document was obtained. I should like to know
19 its source, and also I should, first of all, like to
20 ascertain whether the language used in this document
21 is identical with the actual telegram that was sent.
22
23
24
25

YAMAMOTO

CROSS

1 Q You are no longer an official in the Foreign
2 Ministry, Mr. YAMAMOTO, are you?

3 A At the present time, not an official.

4 Q Now, then, I want to ask you this question,
5 and I am referring, for the information of the Tri-
6 bunal, to exhibit 1271, page 2. Do you remember the
7 accused TOJO and TOGO making speeches in the Diet
8 on the 22nd of January, 1942?

9 A Yes, I recall.

10 Q Now, I am reading to you from a summary of
11 those speeches prepared by the German Ambassador in
12 Tokyo and sent to his government.

13 THE MONITOR: Mr. Comyns Carr, will you
14 give us the prosecution number, please?

15 MR. COMYNS CARR: 4076A.

16 THE MONITOR: Thank you, sir.

17 MR. COMYNS CARR: I shall read beginning
18 at the lower part of page 1 and the upper part of
19 page 2, and then I propose to ask the witness whether
20 that represented the policy of Japan towards the
21 countries of what they called the "Greater East Asia
22 Co-Prosperity Sphere."

23 "Building up of East Asia.

24 "1) Japan, Manchukuo, and Nanking-China
25 shall form the inner core of the new organization.

YAMAMOTO

CROSS

1 Thailand and Indo-China, who cooperate with Japan out
2 of their own free will, will be included. The other
3 areas of the new great sphere shall crystallize under
4 various forms of government around this core. The
5 active support of allied Thailand was thought to be
6 especially hearty by the Prime Minister and Foreign
7 Minister, though her claims for a revision were not
8 mentioned.

9 "2) The remaining countries of greater East
10 Asia shall fall into three categories:

11 "a) Previous bulwarks of British imperial-
12 ism which served to suppress and rule East Asia, namely
13 Hong Kong and the Malay Peninsula. This area must be
14 transformed into a bulwark for the protection of
15 Greater East Asia and must, therefore, be placed under
16 the immediate control of Japan. This principle found
17 a practical application in General ISOGAI's appoint-
18 ment as Governor General of HongKong, as reported from
19 another quarter.

20 "b) Areas, whose independence shall be pre-
21 served if they loyally collaborate with Japan: The
22 Philippines and Burma. According to what the Military
23 Attache confidentially learned from the Army, their
24 independence shall be formed according to Manchukuo's
25 pattern.

YAMAMOTO

CROSS

1 "c) Areas which are to be conquered by force
2 of arms if they persist in resisting Japan: Nether-
3 lands Indies, Australia, and Chungking China."

4 BY MR. COMYNS CARR (Continued):

5 Q Does that fairly represent the policy of
6 Japan toward the countries in Greater East Asia?

7 MR. ROBERTS: I object, if the Tribunal
8 please, on the ground it calls merely for an opinion
9 of this witness.

10 THE PRESIDENT: That is directed to credi-
11 bility, I take it. It is covered by the other de-
12 cisions.

13 MR. BROOKS: I would like to object to the
14 form of the question unless it shows the date and what
15 time. I think the question is very misleading.

16 MR. COMYNS CARR: I have already given the
17 date as January, 1942, your Honor.

18 THE PRESIDENT: Answer the question.

19 A I recall that addresses were made at the
20 Diet at that time, but I do not recall or remember the
21 speeches themselves, that is, the contents of the
22 speeches.

23 Q I am not asking you about the contents of
24 the speeches. I am asking you whether that is a fair
25 summary of the policy being pursued by Japan at that

YAMAMOTO

CROSS

1 time when you held important positions in the Foreign
2 Ministry.

3 A Were the contents which you just quoted to
4 me taken from a telegram drafted by the German Am-
5 bassador?

6 Q Yes.

7 A I cannot express my opinions on a document
8 over which I have no positive knowledge.

9 Q Don't you know what was the policy of Japan
10 towards Greater East Asia in January of 1942?

11 A The principle for the establishment of the
12 Greater East Asia Co-Prosperity Sphere is as I have
13 already mentioned previously, and I still hold to that
14 idea.

15 Q Now I will ask you this: When Japan did
16 purport the grounds, what she called "independence,"
17 to Burma and the Philippines, was it on the Manchukuo
18 model?

19 MR. LOGAN: I object to the form of that
20 question, if your Honor please, as to what they pur-
21 ported to do.

22 MR. ROBERTS: I further object on the ground
23 that it calls for purely an opinion of the witness.
24
25

YAMAMOTO

CROSS

M
O
r
s
e
&
W
o
l
f

1 THE PRESIDENT: We will hear only one counsel
2 on each objection. I see no objection to the use of
3 the word "purported." Mr. Comyns Carr is not bound to
4 accept it as a fact. The objection is overruled.

5 MR. ROBERTS: I object further upon the ground
6 that it is outside the scope of the examination, the
7 examination in chief being confined to the Greater East
8 Asia Conference in 1943.

9 THE PRESIDENT: This is directed to the genuine-
10 ness of the Greater East Asia Co-Prosperity Sphere as
11 well as to the credibility of the witness. The objection
12 is overruled.

13 BY MR. COMYNS CARR (Continued):

14 Q That do you say in answer to the question,
15 Mr. YAMAMOTO?

16 A The question of Byrmese and Philippine independ-
17 ence came after the independence of Manchuria and after
18 the development of the idea of the new order in East
19 Asia. Hence, the conditions and circumstances surround-
20 ing the independence of Burma and the Philippines were
21 different from the conditions prevailing at the time of
22 Manchurian independence. The independence to Burma and
23 the Philippines developed out of the newer concept
24 of the new -- the Greater East Asia New Order.

25 Q Would you say they had more independence than

YAMAMOTO

CROSS

1 Manchukuo or less?

2 A It seems that the discussion is now centering
3 around the essence of independence. With respect to
4 the independence of states there are various differences
5 according to various interpretations of international
6 law. In the case of Burmese and Philippine independence,
7 one must say that it would be almost natural that there
8 would be some restraint, some restrictions on its
9 independence at the outset because of the conditions
10 prevailing at the time that it is established as an
11 independent state.

12 Q Were there more restrictions or less than in
13 the case of Manchukuo?

14 A I think in some respects they enjoyed a wider
15 area of freedom, but inasmuch as we were then in the
16 midst of war, greater restrictions than were applied in Manchu
17 were applied in the case of the Philippines and Burma.

18 Q Now, do you suggest that that was only because
19 the war was in progress?

20 A Yes, I gave that as one illustration.

21 Q At the time when the telegram was sent to
22 Manchukuo, which I read, in December 1941, Manchukuo
23 had already been in existence for 9 years, had it not?

24 A Yes.
25

YAMAGOTO

CROSS

1 Q How much longer was to pass before it was to
2 get more independence than it had in December 1941?

3 MR. ROBERTS: I object to the form of the
4 question.

5 THE PRESIDENT: The position is covered by
6 earlier decisions this morning. The objection is over-
7 ruled.

8 A As to how many years would be necessary before
9 the attainment of complete freedom and independence,
10 that would depend upon the development of the situ-
11 ation or development of various conditions. But Japan
12 was fired with the desire to cooperate in the realization
13 of complete freedom and independence at the earliest
14 possible moment.

15 Q Now, you told me, I think -- or I better ask
16 you: do you say that these countries had a freedom
17 of action of a democratic kind?

18 MR. ROBERTS: I don't believe the witness made
19 such a characterization. Object to the question on
20 that ground.

21 MR. COMYN & CARR: Your Honor, the witness has
22 said that the individuals who attended this Greater
23 East Asia Conference represented their countries and
24 I am seeking to find out what basis he had for that
25 statement.

YAMAMOTO

CROSS

1 MR. ROBERTS: But he certainly didn't
2 characterize those countries as being democratic in
3 form, nor does it indicate that democracy is the only
4 form of an independent state.

5 THE PRESIDENT: No, he did not, certainly.
6 You could have a country which is a dictatorship and
7 be represented. Nevertheless, Mr. Carr's position,
8 I take it, was to endeavor to get the witness to say
9 whether or not the people of those countries were
10 supporting this proposal.

11 Q MR. YAMAMOTO, you understand I have finished
12 with the question of whether the countries were
13 independent and I am now dealing with the question
14 of whether these individuals had any right to speak
15 for them. Now, let me put it to you this way: What
16 right do you say that Mr. Ba-Mo had to speak for the
17 people of Burma?

18 A Ba-Mo was the head of state of Burma and in
19 that capacity he represented the state of Burma at
20 the assembly.

21 Q Who made him the head of state?

22 A I don't recall now just how -- what the
23 government organization and set up was at that time,
24 but the people of Burma had been burning with the
25 desire for national independence for many years. It

YAMAMOTO

CROSS

1 was at such a time that Burma finally realized its
2 independence and as Ba-Mo was then the chief of the
3 government I am positive that he represented the
4 desires and the will of the people of Burma.

5 THE PRESIDENT: We will recess for fifteen
6 minutes.

7 (Whereupon, at 1045, a recess was
8 taken until 1100, after which the proceedings
9 were resumed as follows:)

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

YAMAMOTO

CROSS

1 MARSHALL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Comyns Carr.

4 BY MR. COMYNS CARR: (Continued):

5 Q Mr. Yamamoto, did you assist in drawing up
6 the Constitution for Burma?

7 A I had no connection with the drafting of
8 the Burnese Constitution.

9 Q Do you know that it provided that Dr.
10 Ba-Mo shall be dictator in Burma?

11 MR. ROBERTS: The witness has just testi-
12 fied he had no connection with the Constitution.
13 I object to the question on that ground.

14 THE PRESIDENT: Still he ~~can~~ know its con-
15 tents. Objection overruled.

16 A Yes. I now recall, after hearing your
17 words on the subject.

18 Q Now, you told us in your examination-in-
19 chief that before this conference Dr. Ba-Mo complained
20 at great length about the actions of the Japanese
21 Army in Burma. What did he complain about?

22 A Dr. Ba-Mo complained with regard to the
23 undue and great interference of the Japanese Army
24 authorities in the field, that is, in Burma.

25 Q Did he, for instance, complain that the

YAMAMOTO

CROSS

1 Japanese Army and the Japanese Monopoly Company
2 were devastating the state forests in Burma?

3 MR. ROBERTS: I object to the form of the
4 question.

5 THE PRESIDENT: There is nothing wrong
6 with the form of it. The relevancy is the only
7 question and just relevancy.

8 MR. ROBERTS: He is suggesting the answer
9 that he wants to try to put in the mouth of the
10 witness.

11 THE PRESIDENT: The cross-examiner that
12 does not load is not worth his salt.

13 MR. ROBERTS: I am taking the point of
14 view of its being argumentative.

15 THE PRESIDENT: That is not argumentative,
16 if I understand the position.

17 A I think there were complaints to such an
18 effect, but Burma then was not independent.

19 Q Did he complain that inhabitants of Burma
20 were being forced to go and work on the Burma-Siam
21 Railway?

22 A No, I did not hear anything of that kind.

23 Q Did he say anything about labor on the
24 Burma-Siam Railway?

25 A I do not recall.

YAMAMOTO

CROSS

1 Q Do you not recall any other subject about
2 which he complained?

3 A At that time Dr. Ba-Mo was given certain
4 authority, and this was supported by the Japanese
5 on the spot. It seems as if Dr. Ba-Mo was quite
6 irritated by the interference in his administration
7 of state affairs within the scope of the authority
8 that had been given him to administer the country.

9 Q Did his complaints continue after the so-
10 called independence of Burma?

11 A It was a Japanese policy and aim to let
12 Dr. Ba-Mo complain even after the independence of
13 Burma, and I think that he did complain on certain
14 matters after the independence of that country.

15 Q Did he complain that, although his govern-
16 ment was supposed to be independent, it was com-
17 pelled to carry out the orders of the Japanese
18 Army?

19 A Yes, he has frequently made complaints to
20 such an effect. However, very intense warfare was
21 then going on, and by the very necessity of the
22 circumstances a certain amount of restrictions had
23 to be placed from the standpoint of military opera-
24 tions.
25

Q Did he complain then that he was being

Y. ALOTO

CROSS

forced to provide labor for the Burmese-Siam railway?

1 A Of course, I recall that he was very much
2 delighted over the establishment of traffic between
3 Thailand and Burma after the independence of Burma,
4 but I do not recall any instance of his complain-
5 ing with regard to forced labor.
6

7 Q Do you know that there was a great deal of
8 forced labor?

9 A. ROBERTS: If the Tribunal please, I
10 object on the ground that I believe it is beyond
11 the scope of his examination.

12 THE PRESIDENT: The question before us
13 is the genuineness of the Greater East Asia Co-
14 Prosperity Sphere. This man is here to support it.
15 This cross-examination suggests it was a sham be-
16 cause no prosperity was involved for the satellites
17 or their people. The cross-examination is within
18 the scope of the examination-in-chief. I do hope
19 you will not object so much. To repeat objections
20 which have already been overruled is wasting time.
21 The objection is overruled. Answer the question.

22 A As I have said before, we have, in accord-
23 ance with the fundamental principle of the idea of
24 the New Order in East Asia, formulated various plans
25 and measures for the people -- for the nations and

Y-441.010

CROSS

1 peoples in this area. In order to prosecute war,
2 measures must be taken in all fields of the war
3 effort. And, of course, we recognized the neces-
4 sity of labor as an essential element in that effort.
5 But at no time have I ever heard of the idea of
6 forced or compelled labor.

7 Q Now, in addition to the Forest Monopoly
8 Company -- Japanese Monopoly Company which you told
9 me Ba-Mo complained of, did he also complain that
10 Japanese companies were being given monopolies in
11 other branches of industry and agriculture in Burma?

12 A No, I do not recall.

13 Q Do you know that it was a fact?

14 A I object to the manner in which the word
15 "monopoly" was just used and interpreted. I think
16 the true meaning of the word "monopoly" as used was
17 how to develop these industrial and agricultural
18 resources so as to make most effective the prosecu-
19 tion of war and, at the same time, be to the good
20 and to the advantage and well being of the people of
21 Burma; and many instances in which monopoly has been
22 the form used in order to promote the maximum happi-
23 ness of the people of the country.

24 Q Do you know that the inhabitants of Burma,
25 for instance, were compelled to hand over their

YAMAKOTO

CHOSO

1 sugar to one Japanese company?

2 A I do not recall such a fact.

3 Q Was there not established a Japanese
4 sugar company which took over the control of sugar
5 production in all the occupied areas?

6 A I think there was such a fact, but at that
7 time it was by the use of such methods that the best
8 interests of the Burmese people would be promoted,
9 and we carried out our policy with the idea in mind
10 to hand over these industries little by little into
11 the hands of the people of Burma.

12 Q Were not the inhabitants of Burma, the
13 producers in Burma, compelled to sell their sugar
14 to that company at that company's price?

15 A Well, I hesitate to state my views on the
16 details of small developments within Burma.

17 Q Do you know that if they refused they were
18 beaten and ill treated?

19 A I do not know these specific facts.

20 Q You were the Vice-Minister for Greater
21 East Asia, were you not?

22 A Yes, I was.

23 Q Do you regard these matters I have been
24 asking you about as small details?

25 THE PRESIDENT: Captain Brooks.

YAMALOTO

CROSS

1 MR. BROOKS: I would like to object to that
2 question. The witness has not contended that they
3 were small details. I would also like to add that I
4 think that this part is going a little further than
5 the independence movement the Court has discussed.
6 I think it is outside the scope of the direct
7 examination.

8 THE PRESIDENT: The suggestion is that he,
9 as Vice-Minister, should know those things, and he
10 said he didn't know details -- those details. De-
11 tails and small things are some times synonyms. The
12 objection is overruled.

13 A There was something said about small de-
14 tails. But what I meant to say was, I do not re-
15 member small details, not small things.

16 Q Now I am asking you whether you regard the
17 matters which I have asked you about, and which you
18 say you didn't know, as being small details.

19 THE PRESIDENT: Major Furness.

20 MR. FURNESS: If the Court please, it seems
21 to me most unfair to this witness to ask him if he
22 knows certain things -- he says he does not -- and
23 then to ask him if he regards them as small details.
24 It is assuming a fact not in evidence. It is purely
25 and plainly improper, it seems to me.

YAMAMOTO

CROSS

1 THE PRESIDENT: We must have regard to the
2 direction of the cross-examination. He said they
3 were small details. He was reminded he was Vice-
4 Minister for this Greater East Asia Co-Prosperity
5 Ministry, and he is asked then whether, in that
6 position, he would not necessarily know those things.

7 MR. FURNESS: It is asserting that there has
8 been proof of them.

9 THE PRESIDENT: This goes sharply to credi-
10 bility. Here is a Vice-Minister saying he didn't
11 know such things as Mr. Carr put to him which he
12 describes as "small details" now.

13
14
15
16
17
18
19
20
21
22
23
24
25

YAMAMOTO

CROSS

D
u
d
a
&
W
h
a
l
e
n

1 MR. COMYNS CARR: That concludes what I
2 wanted to ask about Burma, your Honor.

3 The logical thing would be to take the
4 Philippines next. Your Honor, I am not very fully
5 acquainted with the facts about the Philippines, and
6 I was going to ask whether the Tribunal would permit
7 my friend, Mr. Lopez, to put some supplementary ques-
8 tions on that subject after I have finished. If the
9 Tribunal does not approve of that, then I must deal
10 with it the best I can now.

11 THE PRESIDENT: Only one counsel should cross-
12 examine.

13 MR. LOGAN: If the Tribunal please, the defense
14 has no objection.

15 THE PRESIDENT: There is no objection?

16 MR. LOGAN: No. As a matter of fact, your Honor,
17 we expect to ask for that same privilege ourselves.

18 THE PRESIDENT: Then he may.

19 MR. COMYNS CARR: In that case I will omit the
20 Philippines from my questions.

21 THE PRESIDENT: Well, the Court insists on
22 only one counsel cross-examining for the prosecution.

23 MR. COMYNS CARR: In that case I must do my
24 best, your Honor.

25 Q Mr. YAMAMOTO, the person who was called

YAMAMOTO

CROSS

1 President of the Philippines was a Dr. Laurel, was he
2 not?

3 A Yes, Dr. Laurel.

4 Q Before December 1941 was there in existence
5 a democratic government in the Philippines?

6 A Before 1941 did you say?

7 Q Yes.

8 A I think the Philippines at that time was a
9 part of the United States.

10 Q What I was asking was whether there was not
11 a democratic government in the Philippines which was --
12 well, first of all, whether there was not a democratic
13 government in the Philippines?

14 A I should think I am not in a position to
15 testify on such a matter.

16 THE PRESIDENT: You know there was a parlia-
17 mentary government there, I suppose?

18 THE WITNESS: I do.

19 Q Was Dr. Laurel or any of those associated with
20 him in the government setup during the war which you
21 call an independent government, had any of them any
22 authority from the parliamentary government of the
23 Philippines?

24 A The purpose of that question is not very
25 clear to me. However, I cannot understand from what

YAMAMOTO

CROSS

1 authority is given for any movement or any desire
2 for a people to seek independence.

3 Q Do you not know that as long ago as 1936 the
4 independence of the Philippines had been arranged by
5 the United States to come into force in 1946 on the
6 4th of July?

7 A I do.

8 Q Do you not know that there was then in
9 1941 a duly elected Philippine Congress?

10 A Are you referring to the period prior to
11 the outbreak of war in 1941?

12 Q Yes.

13 A I should think so then.

14 Q Had the government of Dr. Laurel any authority
15 from that congress?

16 A What I said with regard to Philippine inde-
17 pendence is after the outbreak of war.

18 Q Now answer the question.

19 A May I have the question repeated?

20 Q Had Dr. Laurel or his government any authority
21 from that Philippine Congress?

22 A What are you referring to when you speak of
23 Dr. Laurel and/or his government?

24 Q Was Dr. Laurel appointed, or were any of the
25 members of his government appointed in response to a

YAMAMOTO

CROSS

1 vote of that congress?

2 A What are you referring to? What government
3 are you referring to; the government at what time?

4 Q The government during the war which you
5 speak of as the independent government of the Philip-
6 pines.

7 A During the war the Philippine Islands were
8 occupied by the Japanese army, and during that time
9 the functions of the United States Government in
10 that area had already ceased, and, therefore, the
11 question of who delegates or grants authority does
12 not arise.

13 THE PRESIDENT: Where did Laurel get his
14 authority?

15 THE WITNESS: I believe that Dr. Laurel stood
16 at the head of the independence movement, incorporated
17 and in accordance with the general consent and desire
18 of the people of the Philippines.

19 Q I have not watched the clock. Can you tell
20 me how long it is that you have been trying to avoid
21 answering my question?

22 (Whereupon, Mr. Roberts approached
23 the lectern.)

24 THE PRESIDENT: Objection upheld.

25 Q Will you now answer it?

YAMAMOTO

CROSS

1 THE WITNESS: Mr. President, in the light
2 of the question just now directed to me as witness,
3 I regard myself as being mistrusted -- distrusted.
4 Inasmuch as I have taken this witness stand under
5 oath to speak according to my own conscience, I am
6 trying my best to understand the questions that are
7 being asked me.

8 THE PRESIDENT: There is no need for that
9 homily. Just answer the questions.

10 THE WITNESS: May I have that question
11 repeated, sir?

12 Q Had the government which was established of
13 Dr. Laurel during the war any authority from the con-
14 gress, elected congress of the Philippines?

15 A I do not know with respect to that point.
16
17
18
19
20
21
22
23
24
25

YAMAMOTO

CROSS

1 Q Did the Japanese army allow the congress to
2 meet and operate?

3 A It is my recollection that since the Philippines
4 were occupied by the Japanese army and a military
5 administration was in existence, the congress did not
6 meet.

7 Q Did not Japan abolish the congress and substi-
8 tute a small commission?

9 A Yes, I do recall something of that nature.

10 Q Now, you know, Mr. YAMAMOTO, if you knew that
11 you could have answered yes or no a quarter of an hour
12 ago to the question whether Dr. Laurel had any authority
13 from the congress. Please answer it yes or no now.

14 A I do not know.

15 Q What was Dr. Laurel at the time when the
16 Japanese first came into the Philippines? What was his
17 position in the Philippines?

18 A I do not know.

19 Q Do you know whether he held any position
20 under the congress?

21 A Regarding that, I do not have any definite
22 recollection, but I have heard that he was a judge or
23 something to that effect.

24 Q As Vice-Minister for Greater East Asia, do
25 not you know who appointed Dr. Laurel to be president?

YAMAMOTO

CROSS

1 Q Did the Japanese army allow the congress to
2 meet and operate?

3 A It is my recollection that since the Philippines
4 were occupied by the Japanese army and a military
5 administration was in existence, the congress did not
6 meet.

7 Q Did not Japan abolish the congress and substi-
8 tute a small commission?

9 A Yes, I do recall something of that nature.

10 Q Now, you know, Mr. YAMAMOTO, if you knew that
11 you could have answered yes or no a quarter of an hour
12 ago to the question whether Dr. Laurel had any authority
13 from the congress. Please answer it yes or no now.

14 A I do not know.

15 Q What was Dr. Laurel at the time when the
16 Japanese first came into the Philippines? What was his
17 position in the Philippines?

18 A I do not know.

19 Q Do you know whether he held any position
20 under the congress?

21 A Regarding that, I do not have any definite
22 recollection, but I have heard that he was a judge or
23 something to that effect.

24 Q As Vice-Minister for Greater East Asia, do
25 not you know who appointed Dr. Laurel to be president?

YAMAMOTO

CROSS

1 A I do not know concretely as to who appointed
2 him president.

3 Q Did not the Japanese army select him as the
4 person to be president?

5 A Well, at any rate, before the independence of
6 the Philippines, a Preparatory Commission was created,
7 composed of the people of the Philippines. This com-
8 mission, incorporating the desires and wishes of the
9 people of the Philippines, nominated Dr. Laurel as
10 president. That is my belief.

11 Q First of all, how many of the people of the
12 Philippines were members of the Preparatory Commission?

13 A I do not recall any accurate or definite figure,
14 but I think it was around twenty.

15 Q And were they nominated by the Japanese
16 commander-in-chief?

17 A I do not recall that definitely.

18 Q If he didn't, who did?

19 A I think it is only natural that the commander-
20 in-chief of the Japanese army offered his cooperation
21 in assistance in the appointment of these members.

22 Q Now, then, do you know that Dr. Laurel has,
23 since the war came to an end, been indicted for his
24 part in those proceedings?

25 A Yes.

YANAMOTO

CROSS

1 Q Do you know that his defense is that he was
2 compelled by the Japanese to do what he did?

3 MR. ROBERTS: I object, if the Tribunal
4 please. Those proceedings are not properly before
5 this court. The man is not presumed guilty until he
6 is convicted.

7 THE PRESIDENT: The majority of the Court
8 think the question should be disallowed. The objection
9 is upheld.

10 Q Is it not the fact that Dr. Laurel and his
11 government were compelled by the Japanese army both to
12 act as such and to carry out the measures which they
13 did carry out?

14 I think I had better reframe that question.
15 I will put it the other way around, your Honor.

16 Do you say that Dr. Laurel and his colleagues
17 in that government were free agents in all that they
18 did?

19 A Yes.

20 Q You go. Did Dr. Laurel make any complaints,
21 as you have told us Mr. Ba-Mo did, about the conduct
22 of the Japanese army in the Philippines?

23 A When I made a visit to the Philippine Islands
24 in the course of a trip in 1943, I did not hear any
25 complaints from him. But I should be very glad to

1 give one illustration of his ardent desire for the
2 realization of Philippine independence which he spoke to
3 me about on that occasion.

4 On that occasion there was a meeting between
5 the members of the Independence Preparatory Commission
6 and Prime Minister TOJO and other of us who were in
7 the party. At that time, Laurel, in his opening address
8 to the gathering, said that the people of the
9 Philippines had long desired for the earliest possible
10 realization of their national independence. He said
11 that it was a matter of great joy and happiness to we,
12 the people of the Philippines, to know that that
13 independence is now near at hand. However, Dr. Laurel
14 said that that independence must be complete. It
15 must not be an independence that comes under another
16 country -- of Japan. And he strongly emphasized that
17 that independence must be parallel and equal to that
18 of Japan in the equal pursuit of liberty and freedom.
19 In such a manner he represented and reflected the will
20 of the people of the Philippines.

21 Q When what you call "independence" had come
22 into operation, did Dr. Laurel complain, then, of the
23 conduct of the Japanese army?

24 A I do not recall.

25 THE PRESIDENT: We will adjourn until

YAMAMOTO

CROSS

half-past one.

(Whereupon, at 1200, a recess was
taken.)

- - - -

YAMAMOTO

CROSS

S
p
r
a
t
t
&
Y
e
l
d
e
n

AFTERNOON SESSION

1
2
3
4
The Tribunal met, pursuant to recess,
at 1330.

5
6
MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

7
8
THE PRESIDENT: Mr. Comyns Carr.

9
10
11
12
- - -

13
14
15
16
17
K U M A I C H I Y A M A M O T O, called as a
witness on behalf of the defense, resumed
the stand and testified through Japanese
interpreters as follows:

CROSS-EXAMINATION

18
19
20
21
22
BY MR. COMYNS CARR (Continued):

23
24
25
Q Mr. YAMAMOTO, you told us you thought
that Laurel's government in the Philippines repre-
sented the wishes of the people?

A Yes, I did.

Q Is that your view?

A Yes.

Q Did you ever hear of the resistance move-
ment?

A Yes, I have received reports on that matter
from time to time.

Q Now about co-prosperity as shown in the

YAMAMOTO

CROSS

Philippines?

1 A The joint declaration of the Greater
2 East Asiatic nations best expresses the principle
3 of co-prosperity. The realization of Philippine
4 independence is perhaps the most outstanding
5 example of co-prosperity as realized in the
6 Philippines.
7

8 Q Well, let us see what it says. Point 4
9 of the declaration says this, doesn't it?

10 "The countries of Greater East Asia
11 will endeavor to accelerate their economic develop-
12 ment through close cooperation upon a basis of reci-
13 procity and to promote thereby the general prosperity
14 of their region,"

15 Have I quoted it rightly?

16 A With respect to the passage just read by
17 you, Mr. Prosecutor, may I speak on the basis of my
18 recollections on the subject?

19 Q I have read the actual document which you
20 referred to?

21 THE MONITOR: Mr, Prosecutor, Mr. Conyns
22 Carr, since we do not have the document here we just
23 translated the meaning of it. We may not have used
24 the exact wording that was in the Japanese original.
25

 Q Do you want to differ from what was read to

YAMAMOTO

CROSS

you?

A I merely wish to clarify more fully the meaning in the Japanese original.

Q Yes.

A The principle underlying that article is the acceleration and promotion of the economic well-being of the peoples of Greater East Asia by promoting their economic development on a basis of equality and reciprocity. That, I think, expresses the spirit of that article.

Q If you please, did Japan try to promote that in the Philippines by confiscating all the motor vehicles, refrigerators, sewing machines, and stores on which they could lay their hands and shipping them to Japan?

THE PRESIDENT: Mr. Logan.

MR. LOGAN: If your Honor please, I do not recall any evidence to this effect being in this case, and if the prosecution intends to prove that later I think we should be advised of it.

THE PRESIDENT: There is no assumption of fact, as far as I can judge, in the form of the question. The learned counsel asks whether Japan attempted to promote these things by doing certain things. There is no assumption those things were

YAMAMOTO

CROSS

done -- not in that form of question.

1 MR. LOGAN: But the inference, your Honor,
2 is that they actually did that.

3 THE PRESIDENT: Not the necessary inference.
4 It may be open to that construction, but it is open
5 to the construction I put on it. It is not sug-
6 gesting that these things were done but asking were
7 they.

8 MR. LOGAN: Apparently, it may be that your
9 Honor has not quite understood the question that was
10 asked. He asked if they were promoting this co-
11 prosperity by doing these things. There is no
12 evidence that they did it. The inference that he is
13 trying to draw is that it was done.

14 THE PRESIDENT: That is not the necessary
15 inference.

16 Answer the question, Witness.

17 A Maybe there were such incidents, but that
18 has nothing to do with the establishment of co-
19 prosperity. It was not for the establishment of co-
20 prosperity. It was not for the establishment of co-
21 prosperity.

22 Q Did it in your opinion assist the co-
23 prosperity?

24 A If such incidents actually occurred that
25 would be obstructing the establishment of the

YAMAMOTO

CROSS

1 Greater East Asia Co-Prosperity Sphere, and it was
2 our policy to refrain from such acts in accordance
3 with the true underlying principle for the establish-
4 ment of such a sphere and to correct, take measures
5 to correct such acts if they occurred.

6 Q Were these goods shipped in large quanti-
7 ties to Japan?

8 A I do not recall anything in concrete
9 details.

10 Q Did you ship them back again?

11 A Regarding that also, I do not have any
12 positive recollection.

13

14

15

16

17

18

19

20

21

22

23

24

25

YAMAMOTO

CROSS

1 Q Do you know, for instance, that property
2 looted in the Philippines is in Tokyo at this moment?

3 A Not concretely but I imagine that there are
4 some things in Tokyo.

5 Q Did Dr. Laurel make any complaints about this
6 to you or to the accused TOJO?

7 A My stay in the Philippines being only one
8 day, such matters are not in my recollection at all.

9 Q Did he complain about them at any other time?

10 A I have learned from reports which were sent
11 to my department from time to time of the various
12 desires entertained by the authorities of the
13 Philippine government.

14 Q Did they include a desire on this subject?

15 A I think they were included.

16 Q Did he also complain that the Japanese
17 had confiscated every important commercial enterprise
18 belonging to the Filipinos and given it to Japanese
19 companies?

20 A I think such incidents occurred at the time
21 of the occupation of the Philippines out of the neces-
22 sity of military operations. However, such acts were
23 corrected as they occurred and in accordance with our
24 fundamental policy, everything was done as much as
25 possible in order to return these facilities to the

YAMAMOTO

CROSS

1 Philippine government and in pursuit of that same
2 policy we steadily carried out that policy.

3 Q Did this include handing over the mines and
4 forests to Japanese exploitation?

5 A At first they were included but they were
6 taken only as a temporary measure. But these were
7 corrected and these facilities were returned to the
8 Filipino government and people as a matter of policy
9 and we endeavored, in fact, to bring about our common
10 prosperity by such measures.

11 Q Can you name a single thing that was ever
12 returned?

13 A I know the general fact that these things
14 were returned to the Philippines but I will refrain
15 from naming anything specific because they are outside
16 of my memory at the present time.

17 Q Can you name a single occasion when compensa-
18 tion was ever paid for any of them?

19 A Are you asking for the fact of a compensation
20 being made?

21 Q Yes.

22 A For instance, there were various establish-
23 ments which were under Japanese supervision, for
24 instance, sugar and textile mills, but these were
25 gradually returned to the Philippines and I recall that

YAMAMOTO

CROSS

1 some of these facilities were returned to the
2 Philippines.

3 Q Now I am asking you about payment of compen-
4 sation. Was any ever paid?

5 MR. ROBERTS: I want to object to this
6 question because there is no evidence that this man
7 was in a position to know about payment or compensa-
8 tion.

9 THE PRESIDENT: He does not claim ignorance
10 and he was the second man in the ministry concerned,
11 and he didn't say everything was returned leaving
12 nothing to be compensated for. Objection overruled.

13 A Speaking concretely I would not be able to
14 say anything unless it be on another occasion after
15 I have made some study into the matter.

16 Q Is it the fact that every official of the
17 so-called Independent government was appointed by
18 the Japanese army?

19 A It is not a fact.

20 Q Now a question applying not only to the
21 Philippines but to all the territories occupied by
22 Japan during the Pacific war. Did Japan supersede
23 the currency which existed when they invaded each of
24 these territories by a new occupational currency of
25 its own?

YAMAMOTO

CROSS

1 A As I recall it, in most cases Japanese mil-
2 itary scrip were used but the currency used prior to
3 the occupation was also in circulation to some extent--
4 were allowed in circulation to some extent.

5 Q Was the new currency that which we have
6 proved was printed in Japan in the early part of
7 1941?

8 MR. LAZARUS: Objection, Mr. President.
9 There is no evidence here that this witness knows
10 what was proved previously.

11 THE PRESIDENT: If he had said he knew
12 nothing of that we would have been bound by his
13 answer. He implied that he knew and that the cur-
14 rency was used to some extent, and the normal Philip-
15 pine currency to some extent, but he did not give the
16 proportions. Objection overruled.

17 A I do not know whether or not such currency
18 was prepared in the early part of 1941.

19 Q Now I want to ask you some questions about
20 the countries occupied by Japan which were not repre-
21 sented at the conference.

22 THE PRESIDENT: Mr. Roberts.

23 MR. ROBERTS: I submit, if the Tribunal please,
24 that this is outside the scope of examination.

25 THE PRESIDENT: It bears on this Greater East

YAMAMOTO

CROSS

1 Asia Co-Prosperity Sphere. He came here to testify
2 about that. The objection is overruled.

3 MR. ROBERTS: Our examination was based on
4 the conference and the Co-Prosperity Sphere was
5 mentioned as one of the ideals and the reason for
6 holding that conference, and certainly reference to
7 countries that were not represented is outside the
8 scope of the conference that we have covered.

9 THE PRESIDENT: I should not allow you to
10 debate our decision. It stands.
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

YAMAMOTO

CROSS

K
a
p
l
e
a
u
&
G
o
l
d
b
e
r
g

1 Q Were the resolutions of the conference
2 intended to apply to them as well?

3 A The Assembly of the Greater East Asiatic
4 Nations was held for the purpose of seeking methods
5 by which the nations and peoples represented at the
6 conference will, by their own free will, be able
7 to establish and promote a sphere of common prosperity.
8 And the declaration so states.

9 Q That is not an answer to the question.

10 A I am not through yet. And there was not
11 one iota of any thinking that this declaration
12 was to be forced upon non-participating countries
13 in the area.

14 Q Were the other occupied territories to have
15 any co-prosperity?

16 A It was Japan's hope to assist and to support
17 the people in these areas to the extent they desired
18 such assistance.

19 Q Why was not Malaya represented at the
20 conference?

21 MR. ROBERTS: I object to the question.

22 THE PRESIDENT: Why, Mr. Roberts?

23 MR. ROBERTS: That may be a matter within
24 the knowledge of Malaya and not within the knowledge
25 of this witness.

YAMAMOTO

CROSS

1 THE PRESIDENT: He could say: "Because
2 Malaya was not invited," or "was invited and would
3 not come." I don't know.

4 MR. ROBERTS: In that case it would be outside
5 the scope of the examination as previously covered.

6 THE PRESIDENT: The countries who were sup-
7 posed to be in the sphere are named in that telegram
8 from Japan to Germany. It includes enemy countries
9 not occupied including Australia and New Zealand.
10 They would not be at the conference. But it includes
11 countries occupied by Japan that were not there,
12 and this man should be in a peculiar position to give
13 an explanation; and that is all he is asked to do.

14 MR. ROBERTS: I believe, however, that was
15 a telegram sent by the German Ambassador of which
16 this witness disclaimed any knowledge.

17 THE PRESIDENT: It is evidence upon which
18 he can be cross-examined. He has not defined the
19 area of this sphere as excluding any of those places
20 as far as I am aware. When he does, it will be
21 sufficient time to object to questions like this.

22 A Only countries in Greater East Asia which
23 were at that time independent were invited to attend
24 the Assembly of the Greater East Asiatic Nations.
25 Only as an exception did Dr. Chandra Bose attend the

YAMAMOTO

CROSS

1 THE PRESIDENT: He could say: "Because
2 Malaya was not invited," or "was invited and would
3 not come." I don't know.

4 MR. ROBERTS: In that case it would be outside
5 the scope of the examination as previously covered.

6 THE PRESIDENT: The countries who were sup-
7 posed to be in the sphere are named in that telegram
8 from Japan to Germany. It includes enemy countries
9 not occupied including Australia and New Zealand.
10 They would not be at the conference. But it includes
11 countries occupied by Japan that were not there,
12 and this man should be in a peculiar position to give
13 an explanation; and that is all he is asked to do.

14 MR. ROBERTS: I believe, however, that was
15 a telegram sent by the German Ambassador of which
16 this witness disclaimed any knowledge.

17 THE PRESIDENT: It is evidence upon which
18 he can be cross-examined. He has not defined the
19 area of this sphere as excluding any of those places
20 as far as I am aware. When he does, it will be
21 sufficient time to object to questions like this.

22 A Only countries in Greater East Asia which
23 were at that time independent were invited to attend
24 the Assembly of the Greater East Asiatic Nations.
25 Only as an exception did Dr. Chandra Bose attend the

YAMAMOTO

CHORE

1 conference as an observer representing the Provisional
2 Government of Free India.

3 Q Why wasn't Malaya included in the countries
4 granted independence?

5 A It was our aim ultimately to enable these
6 countries to attain independence, but to enable them
7 to do so actually depended upon developments and
8 the proper time in accordance with the conditions
9 in those countries. At that time the actual con-
10 ditions in Malaya did not warrant the granting of
11 independence.

12 Q Had not Japan from the beginning determined
13 to annex Malaya?

14 A Japan had no intention to annex that
15 territory.

16 Q Had not the accused TOJO definitely so
17 stated in his speech in January, 1942?

18 A I do not recall the contents of that address.

19 Q Now as to Siam and Malaya, do you know that
20 Japan had made a treaty with Siam on the 18th in
21 August, 1943, transferring to Siam part of the
22 territory of Malaya?

23 A Japan recognized the transfer of a part of
24 the area in Malaya occupied by Japan to Siam.
25

YAMAMOTO

CROSS

1 Q A part of Malaya which was occupied by
2 Japanese troops, was it not?

3 A Yes.

4 Q Did you realize that all these changes in
5 the constitutional position of occupied countries
6 were contrary to international law?

7 MR. ROBERTS: I object to the question,
8 if the Tribunal please.

9 THE PRESIDENT: He is in effect asking his
10 opinion. We uphold the objection.

11 MR. ROBERTS: I did not get --

12 THE PRESIDENT: Objection upheld. We do
13 not want his opinion of whether international law
14 was violated or not.
15
16
17
18
19
20
21
22
23
24
25

YAMAMOTO

CROSS

1 MR. COMYNS CARR: No, your Honor, I wasn't
2 putting it from the point of view of getting his
3 legal opinion, but it is, in my submission, rele-
4 vant to discuss whether they knew they were break-
5 ing the law at the time we say they broke it.

6 THE PRESIDENT: Knowledge of international
7 law is imputed to him.

8 MR. COMYNS CARR: Your Honor, I won't press
9 it.

10 Q Now, with regard to the Netherlands East
11 Indies, why were they not represented at the con-
12 ference?

13 A The Netherlands East Indies did not send a
14 representative to the Assembly because it had not
15 attained independence -- had not completed its in-
16 dependence.

17 MR. COMYNS CARR: I am now going to refer
18 your Honor to prosecution exhibit 1344, prosecution
19 document 2754. That is an official statement of the
20 Japanese Government, entitled "Course of Events Lead-
21 ing Up to the Decisions on Political Control And
22 Reversion of the East Indies in the Second World War."

23 Q Is it the fact that in May 1943 there was
24 an Imperial Conference which decided that no inde-
25 pendence should be granted to the Dutch East Indies?

YAMAMOTO

CROSS

1 A I don't recall.

2 Q And you were the Vice-Minister of the
3 Ministry of Greater East Asia?

4 A Yes, I was.

5 Q Do you not recall the reasons why no in-
6 dependence was granted to the Dutch East Indies at
7 that time?

8 A The Japanese Government had after that
9 given -- issued an announcement that independence
10 would be granted to the Netherlands East Indies.

11 Q Yes, but will you answer the question be-
12 fore you make other statements, please?

13 A Hence, and let me continue, at that time
14 if such a decision were taken it was, in my consider-
15 ation, that it was too early to grant independence
16 in the light of the conditions prevailing at that
17 time.

18 Q Was the reason given as follows? and I am
19 quoting from the document ending with the second
20 paragraph on page 1:

21 "The government at home, too, had no al-
22 ternative but the extreme policy of bringing the
23 Dutch Indies under Japan's direct control and check-
24 ing the policy of racial liberation in order to
25

YAMAMOTO

CROSS

1 secure the resources necessary for the execution
2 of the war. For this reason the Supreme Command
3 emphasized its strong opposition to the independence
4 of the East Indies.

5 THE MONITOR: Just a minute, Mr. Carr.
6 We have to find that place.

7 MR. COLYNS CARR: The last sentence of the
8 second paragraph on page 1.

9 THE MONITOR: Yes, sir. Just a minute,
10 please, until we find it in the Japanese copy.

11 Q Isn't that what happened?

12 A Before making a reply, Mr. Prosecutor,
13 may I ask whose decision this was and what the
14 character of this document is? I have never seen
15 it before.

16 Q It is a Japanese Government report coming
17 from the archives of the Foreign Office, of which
18 you were at one time an official.

19 A And that was in 1943?

20 Q Yes.

21 A At that time I was Vice-Minister of the
22 Ministry for Greater East Asiatic Affairs and I had
23 no direct connection with documents in the Foreign
24 Office; and you use the word "report." From whom to
25

YAMAMOTO

CROSS

1 whom was this report made?

2 Q You aren't here to ask questions but to
3 answer them.

4 A No, I asked this question because I wanted
5 to make as clear an answer as possible.

6 THE PRESIDENT: It may refresh his memory
7 to tell him, Mr. Carr.

8 MR. COMYNS CARR: Your Honor, I don't know
9 more than I have told him already.

10 Q The Dutch East Indies was within the juris-
11 diction of your Greater East Asia Ministry, wasn't
12 it?

13 A The Netherlands East Indies at that time
14 was under military administration. The Ministry
15 for Greater East Asiatic Affairs had relations
16 only with independent countries in the area at that
17 time.

18 Q Do you mean, then, it is no use my asking
19 you any further questions about the Netherlands
20 East Indies because you know nothing about them?

21 MR. ROBERTS: I object to the form of the
22 question.
23

24 THE PRESIDENT: That is not the ground.
25 If he had limited the area of his ministry, the
 scope of his ministry, that might have justified an

YAMAMOTO

CROSS

1 objection; but he has not done so yet. If he says
2 those areas are outside the scheme he came to testify
3 about, it would be all right to object to it. But
4 he hasn't done so.

5 (To the witness) Answer the question.

6 A The Ministry for Greater East Asiatic
7 Affairs did not handle matters relating to the
8 Netherlands East Indies, and I am in no position to
9 testify with respect to reports from that area.

10 BY MR. COMYNS CARR:

11 Q If you were not handling Malaya and the
12 Netherlands East Indies, why did you visit them,
13 as you told us yesterday?

14 A It was necessary for Japanese officials to
15 familiarize themselves with conditions even in areas
16 outside their own jurisdiction. Furthermore, these
17 areas now in question had very intimate relationship
18 with the other areas which were within the province
19 of matters handled by the ministry to which I belonged,
20 and I think it was our responsibility in establishing
21 the Co-Prosperity Sphere, both in word and in spirit,
22 to study, observe, and investigate into the conditions
23 in these areas and also to understand the sentiments
24 of the people residing there.
25

YAMAMOTO

CROSS

W
O
L
F
&
H
O
R
S
E

1 Q Well, then, you do know about them, do you?

2 A Yes, I have a general knowledge of these areas
3 but I am not, as I have said before, in a position to
4 testify on specific matters relating to those areas.

5 Q If independence had been granted it would have
6 come under the jurisdiction of your ministry I under-
7 stand, is that right?

8 A After these countries had become independent
9 I would consider it to be natural that they would come
10 under this province pending consultation in the govern-
11 ment. However, assuming that these countries became
12 independent, as far as diplomatic relations were con-
13 cerned they would be in the hands of the Foreign Office
14 as I testified here in Court yesterday in the course of
15 direct examination.

16 Q Wasn't your ministry consulted on the ques-
17 tion of whether they should receive independence or
18 not?

19 A It is only natural that very intimate and
20 close consultation was made with the branch of the
21 government which was concerned with the matters in Japan.

22 Q Well, then, you do know, don't you, why it
23 was not granted?

24 A As I have said before, I think such a policy
25 was taken because it was then at that time too early

YAMAMOTO

CROSS

1 to grant independence.

2 THE PRESIDENT: Why was it too early?

3 THE WITNESS: In the light of world history
4 a nation cannot be made in a day. For instance, the
5 people's desires and wishes must be heard in order to
6 organize a government and trained and organized person-
7 nel is necessary and it is also necessary that the
8 conditions surrounding -- within the country as well
9 as conditions and circumstances surrounding the country
10 will have to be taken into consideration before
11 independence could be realized.

12 Q Are you prepared to swear that the reason
13 given in this Foreign Office report which I have read
14 to you is not the true one?

15 MR. ROBERTS: May I call the Tribunal's
16 attention to the fact that this report is dated 1946
17 and the witness, further, has stated that he is not
18 familiar with it.

19 THE PRESIDENT: He isn't asked whether he is
20 familiar with it but he is asked whether he agrees
21 with what purports to be in it. He is invited to
22 reconcile his views with those of the Foreign Office,
23 or to show that his are more acceptable. The objec-
24 tion is overruled.
25

MR. ROBERTS: May I show it to the witness

YAMAMOTO

CROSS

1 the original, for the purpose of --

2 MR. COMYN: CARR: The witness has the
3 original document.

4 THE PRESIDENT: Well, only if there is any
5 question as to the English translation. Let him have
6 the original if he wants it.

7
8
9

10 MR. COMYN: CARR: It is a document prepared
11 by the Japanese Foreign Office, quite true, after the
12 original was given to him and it has already been admitted in
13 evidence. It is Exhibit 134.

14 THE PRESIDENT: You are entitled to cross-examine
15 him. It is not a question of whether or not he is giving
16 evidence inconsistent with it and
17 Mr. Carr is entitled to cross-examine him to support
18 the prosecution's evidence.

19 MR. COMYN: May I respectfully ask that the
20 witness be permitted to examine the original document?

21 MR. COMYN: CARR: I have no objection, your
22 Honor, but I have already asked that, as a matter of
23 convenience, he be in the hands of the interpreters
24 up in the gallery, that it be postponed until I have
25 read the other papers from it.

YAMAMOTO

CROSS

1 Q Continuing to read from the document, the last
2 paragraph on page 1, and the short paragraph the top
3 of page 2: --

4 MR. ROBERTS: I would like to interpose an
5 objection to the further reading of this document because,
6 as I stated, it appears it was filed in 1946, it doesn't
7 state who wrote it, nor does it show that any official
8 was in accordance with the opinion stated at that time
9 after the war was completed.

10 MR. COMYNS CARR: It is a document prepared
11 by the Japanese Foreign Office, quite true, after the
12 war was completed and it has already been admitted in
13 evidence. It is exhibit 1344.

14 THE PRESIDENT: You are entitled to cross-examine
15 this witness to show that document should be acted upon
16 by us. He is giving evidence inconsistent with it and
17 Mr. Carr is entitled to cross-examine him to support
18 the prosecution's evidence.

19 MR. ROBERTS: May I respectfully ask that the
20 witness be permitted to examine the original document?

21 MR. COMYNS CARR: I have no objection, your
22 Honor, but I have already asked, that, as a matter of
23 convenience, as it is in the hands of the interpreters
24 up in the gallery, that it be postponed until I have
25 read the other passage from it.

YAMAMOTO

CROSS

1 BY MR. COMYNS CARR (Continued):

2 Q Do you want to look at it, Mr. YAMAMOTO?

3 A Yes, I should like to see it.

4 Q Why?

5 MR. ROBERTS: I object to that, if your Honor
6 please, as improper.

7 MR. COMYNS CARR: The witness didn't ask, it
8 was my friend who asked that it be shown to him. In
9 my submission, it is a waste of time although if the
10 witness wants to see it --

11 MR. ROBERTS: It was my impression that the
12 witness did want to see it and I do not think Mr. Carr's
13 comments are necessary.

14 THE PRESIDENT: There is nothing to rule on
15 actually. This is a very important witness, both for
16 the defense and his evidence is of great importance to
17 the prosecution, but that does not warrant all these
18 hopeless objections that we are listening to this after-
19 noon. He need not explain why he wants the original.

20 Q Mr. YAMAMOTO, now that you have seen it can
21 you answer my question? I had better repeat it: Are
22 you prepared to swear that the reason given in it for
23 not granting independence to the Netherlands East Indies,
24 namely, that it was in order to secure the resources
25 necessary for the execution of the war is not the true

YAMAMOTO

CROSS

1 reason?

2 A I think that was one of the reasons given at
3 that time.
4

5 THE MONITOR: Slight correction: It may have
6 been one of the reasons advocated at that time.

7 A (Continuing) If I am permitted to give my own
8 ideas with regard to this question I must say that
9 for the reasons I have already given, not to give
10 independence because of such reasons would be in con-
11 tradiction of the fundamental policy which was eventually
12 to give independence. I cannot accept the reasons as
13 just given to me.

14 THE PRESIDENT: We will recess for fifteen
15 minutes.

16 (Whereupon, at 1445 a recess was taken
17 until 1500, after which the proceedings were
18 resumed as follows):
19
20
21
22
23
24
25

YAMAMOTO

CROSS

Greenberg & Barton

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Roberts.

4 MR. ROBERTS: May it please the Tribunal, I
5 am informed that there may be an error in the trans-
6 lation of the last answer. I would like to have the
7 court reporter reread it and check on its accuracy.

8 THE PRESIDENT: English or the Japanese?

9 MR. ROBERTS: I mean the English translation
10 from Japanese.

11 (Whereupon, the last answer was
12 read by the official court reporter as fol-
13 lows:)

14 "A I think that was one of the reasons given at
15 that time.

16 "MONITOR: Slight correction: It may have
17 been one of the reasons advocated at that time.

18 "A (Continuing) If I am permitted to give my
19 own ideas with regard to this question I must say that
20 for the reasons I have already given, not to give
21 independence because of such reasons would be in con-
22 tradiction of the fundamental policy which was eventu-
23 ally to give independence. I cannot accept the reasons
24 as just given to me."
25

(Whereupon, the Japanese court

YAMAMOTO

CROSS

1 reporter read from his stenographic notes,
2 and the interpreter stated as follows:)

3 "If I may be permitted to give that idea on
4 that matter, I must say that the argument at that time
5 did not accept the -- such reasons for withholding
6 independence from that country."

7 THE WITNESS: Then I shall try to give my
8 idea on the subject as clearly as possible, if I may.

9 THE MONITOR: Mr. President and defense
10 counsel: I just made the comment to the witness that
11 his Japanese was not very clear, and we have difficulty
12 in translating it accurately; that is, we get about the
13 general meaning of it but not quite all of it or to the
14 last detail, and he answered that he will reply again
15 to the same question. Would that be all right?

16 THE PRESIDENT: Address all your questions to
17 me, none to him.

18 THE MONITOR: Yes, sir.

19 MR. ROBERTS: May we have the question re-
20 peated for the witness?

21 THE PRESIDENT: I will give you permission
22 to say anything to him that I think is necessary, but
23 you must not communicate directly with him.

24 THE MONITOR: Yes, sir.

25 MR. COMYNS CARR: May we know what is the

YAMAMOTO

CROSS

1 desired correction? Reading these answers over again
2 is a waste of time unless we know what the desired
3 correction is.

4 THE PRESIDENT: Well, what is the desired
5 correction?

6 MR. ROBERTS: I am informed that the Japanese
7 was in the form of the past tense, and it was really
8 translated in the form of the present tense.

9 THE PRESIDENT: Can't you explain a little
10 more fully? What was it about?

11 MR. ROBERTS: The monitor has stated that
12 the answer was vague, and they had difficulty in
13 translating it. Perhaps the quickest way would be
14 to ask the question and see if he cannot answer it
15 more clearly.

16 MR. COMYNS CARR: I submit the quickest and
17 best course is to ask Major Moore to look at the Japan-
18 ese reporter's notes and tell us in the morning what is
19 the correct translation of it.

20 THE PRESIDENT: We must be careful he does
21 not make an unwarranted correction of an answer. We
22 will follow that course, Mr. Carr. The matter is re-
23 ferred to Major Moore as Chairman of the Board.
24
25

YAMAMOTO

CROSS

1 BY MR. COMYNS CARR (Continued):

2 Q Next, I want to ask you, Mr. YAMAMOTO, about
3 the passage in exhibit 1344 immediately following the
4 one I have already read. (Reading)

5 "Consequently, the plan for the reversion of
6 occupied areas, decided at the Liaison Conference of
7 the government and Imperial Headquarters on 4 January
8 1943, stipulated independence only for Burma and the
9 Philippines, and mentioned that independence for
10 other areas would be decided later. Then, at the
11 Imperial Conference of 31 May 1943, it was decided
12 to make it their policy to incorporate the East Indies
13 areas into Japanese territory, and to allow the partici-
14 pation in politics of native inhabitants according to
15 their abilities.

16 "It was also decided not to announce this
17 reversion plan so that the Allied Powers might not
18 take advantage of it for propaganda purposes."

19 Does that correctly represent what happened,
20 Mr. YAMAMOTO?

21 A At that time I was Vice-Minister for the
22 Ministry for Greater East Asiatic Affairs and did
23 not attend the Liaison Conference between the govern-
24 ment and the Imperial General Headquarters, and I am
25 not familiar with the details as to the course of

YAMAMOTO

CROSS

1 the discussions at that conference. However, as a
2 member of the ministry concerned in the matter, my
3 opinion then, as I have said before, was that we could
4 not -- we were opposed to any idea of abandoning the
5 grant of independence for such a reason as just
6 quoted, and I to this day hold to the same idea.

7 Q I didn't ask you for your opinion. I asked
8 you whether the decision there set out was not the
9 one taken.

10 A If there were an actual decision, and --
11 even if there were a decision, I would say that it
12 was an agreement of views within the Liaison Confer-
13 ence -- a unanimous agreement of views at the Liaison
14 Conference.

15 Q You still haven't answered the question.
16 Was not the decision taken and communicated to your
17 ministry as stated in the words I have read?

18 A Yes, it was reported.

19 Q That is all I wanted.

20 Now, omitting the next paragraph, I am going
21 to read the paragraph numbered "2" on page 2:

22 "Though the Japanese Army authorities on the
23 spot were greatly dissatisfied with this decision,
24 they made no representations of their opposition.
25 Mr. Soekarno, who visited Japan soon after the Greater

YAMAMOTO

CROSS

1 East Asia Conference, made an earnest request to
2 Prime Minister TOJO to grant the East Indies area her
3 independence. The meeting, however, ended without
4 any definite reply from TOJO and Soekarno returned to
5 Java greatly disappointed."

6 Did that happen?

7 A Yes.

8 Q Now, you mentioned that eventually Japan
9 did purport to grant independence to the Dutch East
10 Indies. Was that on the 17th of July, 1945?

11 A Are you referring to the date when the
12 Japanese Government announced its intention to grant
13 independence to the Netherlands East Indies?

14 Q Yes.

15 A Yes, I think the date was as just read -- as
16 just given.

17 Q And that was not quite a month before the
18 surrender of Japan. Was that after and because of
19 the complete cutting off by the Allies of any communi-
20 cation between Japan and the Dutch East Indies by sea?

21 A No. But, if you would like to have the
22 opinion, I should like to speak of it.

23 THE MONITOR: I should explain why it was
24 not so.

25 Q Well, first of all, listen to what is said

1 in this document, and then tell us if you do not
2 agree with it. On page 3 of the same document, the
3 paragraph numbered "3."

4 "Subsequently, the war situation took a turn
5 for the worse and sea transportation between Japan
6 and the South was definitely at an end. For this
7 reason, demands for economic self-sufficiency by the
8 troops on the spot were greatly increased, and it be-
9 came notably difficult to win the hearts of the native
10 inhabitants of Java and Sumatra by mere abstract
11 statements about independence.

12 "The army authorities on the spot had previ-
13 ously established a Central Advisory Council in Java,
14 in accordance with the policy of political participation
15 for the native inhabitants, but this was no more than
16 a consultative body for political administration. The
17 deciding of a definite policy for the preparation of
18 independence thus became an imminent problem."

19
20 Were not those the real reasons for the
21 decision reached on the 17th of July, 1945?

22 MR. ROBERTS: I believe the witness has
23 testified that in 1945 he was Ambassador in Thailand.
24 I would like to ask him if this is within his knowl-
25 edge.

MR. COMYNS CARR: He, himself, introduced

YAMAMOTO

CROSS

1 the fact that independence ultimately was purported
2 to be granted. If he wishes to say that he cannot
3 answer the question, he is quite capable of doing it
4 without prompting from my learned friend.

5 THE PRESIDENT: Yes, it is for the witness
6 to state what he knows.

7 A The facts which were just quoted to me
8 related to 1945. As I was Ambassador to Thailand in
9 and since 1944, and I am not familiar with the course
10 of events during that time, I cannot correctly tes-
11 tify here on that matter.

12 Q Mr. YAMAMOTO, you understand and speak Eng-
13 lish quite well, do you not?

14 A My English is very elementary, and, there-
15 fore, my understanding of the language or my ability
16 to speak that language is very weak.

17 THE MONITOR: It cannot be classified as well.

18 Q Now, during the period before the 17th of
19 July, 1945, the period of the Japanese occupation, did
20 they get any co-prosperity in the Netherlands East
21 Indies?
22

23 A The fundamental principle for the establish-
24 ment of the co-prosperity sphere came to be seriously
25 considered the year after the outbreak of the last war.
Since then the Netherlands East Indies were permitted

YAMAMOTO

CROSS

1 little by little to enjoy political participation,
2 and various measures were taken to bring about the
3 economic prosperity of the people, and results were
4 achieved.

5 Q Did those measures, as in the other cases
6 I have put to you, include confiscating all the
7 industries and handing them over to Japanese com-
8 panies?

9 A That is not absolute -- that is absolutely
10 not in the idea of co-prosperity.

11 Q Perhaps not; but did it not happen?

12 A Since it took place after the outbreak of the
13 war, and since it was outside of the province of mat-
14 ters in my jurisdiction, I am not familiar with the
15 details of the circumstances there before or after
16 the occupation.
17
18
19
20
21
22
23
24
25

YAMAMOTO

CROSS

W
h
a
l
e
n
&
D
u
d
a

1 Q Was not something of that kind part of the
2 policy laid down by the Japanese Government in its
3 economic counterplans for the southern area?

4 A There is nothing in the nature of an
5 exploitative policy in the economic policy of the
6 Japanese Government toward the southern region.

7 MR. COMYNS CARR: I am now referring, your
8 Honor, to prosecution exhibit 1332, prosecution docu-
9 ment No. 1492, dated the 16th of December 1941.

10 THE PRESIDENT: We don't seem to have it.

11 MR. COMYNS CARR: No, your Honor, I am afraid
12 I did not decide to use this one in time to notify
13 the Judges' secretaries in regard to it, but I think
14 the Language Division have it.

15 Q I am reading the first paragraph on page 1,
16 under the heading "Chapter I. Policy."

17 "The principal aim of the policy is to fill
18 the demand for important natural resources and thereby
19 contribute to the execution of the present warfare,
20 and at the same time, to establish a system of autarchy
21 for the Greater East Asia Co-Prosperity Sphere, and
22 speedily find means of strengthening and repleting the
23 Imperial economic strength."

24 Do not you know that that top secret document
25 records the decision of a cabinet meeting on the 16th

YAMAMOTO

CROSS

1 December 1941?

2 A I have no positive recollection, but I
3 presume that there was such a decision.

4 Q And wasn't it given to you as part of the
5 policy you had to carry out?

6 A Of course, it was of the utmost importance
7 and necessity to mobilize economic power in order to
8 prosecute war, but to prosecute war in accordance with
9 the method which I have already described before;
10 that is, by securing the sincere collaboration and
11 cooperation of the people on the spot. There was no
12 change in that policy.

13 Q I am suggesting to you that the plans
14 indicated in this secret document are quite different
15 from those published statements about co-prosperity
16 which you have been talking about. Am I not right?

17 A As I have said before, the ideal or concept
18 of co-prosperity became crystallized for the first
19 time in the Joint Declaration of the Greater East
20 Asiatic Nations; and many measures were taken in
21 accordance with that concept even before such a reso-
22 lution was passed. However, it is an inescapable fact
23 that the various general policies which were taken
24 before the declaration was announced may not have been
25 in every case consistent.

YAMAMOTO

CROSS

1 Q Turning, now, to page 4 of that same document,
2 paragraph numbered 2:

3 "The selection of entrepreneurs to take
4 charge of new exploitation of important mineral
5 resources shall be, for the most part, in principle,
6 in accordance with the purport of the following items.

7 "(a) that the exploitation of resources in
8 one place shall be left as much as possible solely to
9 one entrepreneur."

10 And then, paragraph 4 on the same page:

11 "Manufacturing Industry. Manufacturing
12 industries shall not be set up in the area as a rule,
13 except special ones (e.g. shipbuilding, repair shops
14 for equipment for natural resource development). This
15 rule is not applicable to industry having equipment
16 already in the area, and can contribute to reduction
17 of the shipping load."

18 Was that the policy laid down and carried
19 out by you?

20 A You have just read the words "in the area" in
21 the document, and I presume that it would be an
22 occupied area, but unless I have some further explanation
23 I would not be able to answer intelligently.

24 THE MONITOR: That is page 4, second line
25 from the last.

YAMAMOTO

CROSS

1 Q You are quite right, Mr. YAMAMOTO. It refers
2 to all occupied areas.

3 A In the light of the conditions prevailing at
4 that time, with respect to the industries which you have
5 just referred to, the idea was that it would be most
6 effective to utilize experienced Japanese entrepre-
7 neurs; and in accordance with that idea such a policy
8 was laid down and carried out.

9 Q Now, I suggest to you that in practice it
10 wasn't confined to new enterprises at all, but that in
11 all the areas, whether within the countries that
12 attended the conference or those that didn't, it
13 extended to confiscating the existing industries and
14 handing them over to Japanese entrepreneurs. Isn't
15 that right?

16 A It is not a fact that such a policy was
17 applied to areas which were outside of occupied areas.
18 In the course of the war I was ambassador in Thailand,
19 and there has been no instance of Japan taking such
20 measures vis-a-vis Thailand.
21
22
23
24
25

YAMAMOTO

CROSS

1 Q I am not suggesting anything about Thailand,
2 I am asking you about occupied areas, not only those
3 supposed to be granted independence but also those that
4 weren't.

5 A I replied as I did because it was suggested
6 that such a policy was carried out even in areas which
7 were not occupied.

8 Q Oh, no, it was never suggested. Now answer
9 the question as applied to the occupied areas.

10 A May I ask again: What year was that decision
11 taken?

12 Q The decision was taken on the 16th of December
13 1941, but I am suggesting to you that it applied and
14 the actual practice went further, right through the
15 whole period of the war.

16 A Immediately after the outbreak of war inde-
17 pendence was not granted to areas at that time which
18 were occupied at that time. That policy was estab-
19 lished as a sort of a basis or standard for military
20 administration in occupied areas. Such decision was
21 modified and changed with the change in the conditions
22 and in accordance with new developments, and the ideal
23 of co-prosperity became gradually concrete as time went
24 on. With the crystallization of the ideal of co-
25 prosperity reforms and improvements were made in that

YAMAMOTO

CROSS

1 policy.

2 Q I now want to refer to a paragraph on page
3 8 of the same document, headed "The Second Counter
4 Plan."

5 "/These counter-plans/ should aim at the
6 completion of a system of autarchy in the Greater
7 East Asia Co-Prosperity Sphere, aid the economic devel-
8 opment of the Japanese people in the Southern area on
9 a nationally-planned basis, and promote economic
10 exchange between areas within the Co-Prosperity Sphere."

11 Wasn't the real object of all this to establish
12 Japanese in ownership and control of every industry of
13 any importance throughout the occupied areas whether
14 they were granted, nominally granted independence or
15 not?

16 Now, in the declarations which you have referred
17 to of November 1943 there is one about culture--

18 I am told I cut short your answer. Go on, Mr.
19 YAMAMOTO.

20 A There is not one bit of any idea that the
21 decision taken with respect to plans vis-a-vis the
22 southern areas had anything of an exploitative nature.

23 Q Now, about culture, did the conference you
24 have spoken of decide that the countries of Greater
25 East Asia by respecting one another's traditions and

YANAMOTO

CRQSS

1 developing the creative faculties of each race, will
2 enhance the culture and civilization of Greater East
3 Asia?

4 In actual practice, throughout the areas,
5 whether they were supposed to be independent or not,
6 did not the Japanese close the schools?

7 A I cannot help but feel extremely regrettable
8 for the statement just made that the Japanese closed
9 schools in all the areas after the announcement --
10 after the joint declaration.

11 Q That wasn't the question. The question was
12 whether they did not begin by closing the schools in
13 all the areas whether they were areas in which they
14 contemplated granting independence or not -- perhaps
15 I had better complete the question before you answer.

16 Did they not then have teachers trained in
17 Japanese, and allow only Japanese books and teaching
18 to be given?

19 I am told I was wrong in saying "only."

20 Did they not insist on Japanese teachers and
21 Japanese books being used in the schools, and on all the
22 books being revised in accordance with Japanese ideas?

23 A I recognize that at the outset of the occupa-
24 tion the Japanese army out of necessity took some such
25 measures with respect to education in the light of

YAMAKOTO

CROSS

1 military operations, and for the purpose of maintain-
2 ing law and order.

3 Q Now, my last question--

4 THE PRESIDENT: Well, what were the measures
5 they took, and how did they bear on law and order?

6 THE WITNESS: I replied to the question with
7 reference to education since that was the point in
8 the question. It was necessary from the standpoint
9 of education to educate the people, to teach the people
10 to understand the true intentions of Japan and her
11 army because of the fact that some of the native
12 inhabitants in these occupied areas, not understanding
13 Japan's intentions, were overwhelmed by a sense of
14 fear. It was also most necessary that opportunities
15 be established and open for a frank exchange of views
16 and opinions between the Japanese and the people in
17 these areas, and to establish paternal and fraternal
18 bonds between the two parties. And it was out of
19 necessity that education need be controlled to some
20 extent in order to attain this goal.

21 THE PRESIDENT: We will adjourn until half
22 past nine on Monday morning.

23 (Whereupon, at 1600, an adjournment
24 was taken until Monday, 10 March 1947, at 0930.)
25

- - - -